



IFW

Attorney Docket # 5106-24

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Lawrence OSKIELUNAS et al.

Serial No.: 09/925,758

Filed: August 9, 2001

For: A System, Method And Article Of Manufacture
For Auctioning In A Data Network Environment

Examiner: Nguyen, Nga B
Group Art: 3692

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P.O. Box 1450, Alexandria, VA 22313-1450, on
July 1, 2008
(Date of Deposit)

Alfred W. Froebrich

Name of applicant, assignee or Registered
Representative

Alfred W. Froebrich
Signature

July 1, 2008
Date of Signature

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**REQUEST FOR RENEWED PETITION
TO WITHDRAW HOLDING OF ABANDONMENT**

SIR:

The Office of Petitions recently issued a Decision dismissing applicants' Petition to Withdraw Holding of Abandonment. In the Decision, the Office acknowledges that "[a] reply was filed on December 6, 2007, with a certificate of mailing dated December 4, 2007." However, the Deposit Account (*i.e.*, Deposit Account No. 50-1817) authorized to be charged the necessary extension of time fees was determined not to have sufficient funds.

In view of the findings in the Decision, applicants respectfully submit the following along with additional supporting documents and request withdrawal of the holding of abandonment set forth in the USPTO Notice of Abandonment mailed December 12, 2007 (Paper No. 20071210).

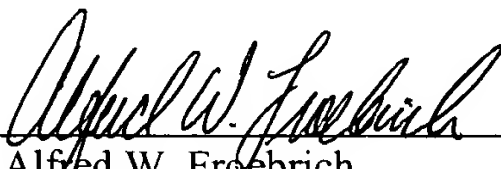
On December 4, 2007, applicants timely submitted to the USPTO an Amendment in response to the Office Action issued June 5, 2007 ("Amendment") by First Class Mail with a proper Certificate of Mailing. Along with the Amendment, applicants filed an Information Disclosure Statement ("IDS"), which was also mailed by First Class Mail with a proper Certificate of Mailing. A complete copy of applicants' submission made on December 4, 2007 is enclosed. As the postcard receipt shows, the December 4, 2007 submission includes both the Amendment and the IDS, along with other documents.

Applicants' IDS, which was filed together with the Amendment in the same First Class Mail package, contains a general authorization to the USPTO to charge "any fees or charges ... required at this time ... to our Patent and Trademark Office Deposit Account No. 03-2412." (See, page 2 of the IDS.) Accordingly, at the time the Amendment was filed, the USPTO was indeed authorized to charge the fees necessary for the extension of time required to make the Amendment timely. Therefore, the Amendment was timely filed.

In view of the above, applicants respectfully request that the holding of abandonment of the instant application be withdrawn and that the case be restored to active, pending status. It is further requested that, upon restoration of the case to active, pending status, the Examiner duly consider the substance of the Amendment originally filed December 4, 2007 and thereby continue prosecution of the instant application.

Any fees or charges required in connection with this Petition may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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Dated: July 1, 2008

5106-24 AWF/MAM December 4, 2007

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Enclosed Herewith:

1. Amendment in response to OA of June 5, 2007 w/Cert. of Mailing
2. Request for three-month extension of time
3. Information Disclosure Statement w/Cert. of Mailing
4. Form PTO/SB/08a
5. References cited
6. Return receipt postcard

